



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Consider the Appeal Received from Chris Keszler Regarding the Planning Commission's Denial of his Request for a General Plan Amendment to Redesignate a Portion of the Parcel Located at 451 East Turner Road (APN 015-230-28) from P-R, Planned Residential to NCC, Neighborhood/Community Commercial and to Prezone the Parcel C-S, Commercial Shopping.

MEETING DATE: May 19, 1993

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council conduct a public hearing to consider the appeal of Chris Keszler regarding the Planning Commission's denial of his request for a General Plan amendment to redesignate a portion of the parcel at 451 East Turner Road (APN 015-230-28) from P-R, Planned Residential to NCC, Neighborhood/Community Commercial and to prezone the parcel C-S, Commercial Shopping.

BACKGROUND INFORMATION: The Wine and Roses Country Inn is located adjacent and to the east of the proposed shopping center site. The shopping center developer and the owners of the inn proposed to integrate the two uses into a compatible site plan.

The Commercial zoning at the northwest corner of Turner Road and Woodhaven Lane was originally approved to accommodate the country inn. Shopping center development was not proposed at that time.

On March 1, 1989 the City Council denied a General Plan Amendment and rezoning for a shopping center on a 9.6 acre site at the southwest corner of the Turner Road and Woodhaven Lane-Lower Sacramento Road intersection (i.e. site of MCI building).

Section 17.84.050 of the Lodi Municipal Code provides as follows:

"Disapproval Recommendation - Appeal to Council. If the report of the Planning Commission recommends disapproval of the proposed change or amendment or reclassification, the applicant upon notification of such action may, within twenty days thereafter, appeal to the City Council. After public hearing with due notice as provided in this chapter the City Council may by a four-fifths vote of the entire council grant an appealed application and adopt by the vote an ordinance effecting such proposed changes or portions thereof."

The City Council may approve the General Plan amendment with a simple majority. However, the prezone to C-S, Commercial Shopping, requires a four-fifths vote of the entire council.

APPROVED: _____

THOMAS A. PETERSON
City Manager



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The section of the Planning Commission Minutes of March 22, 1993 which deals with these requests is attached for the City Council's information.

This public hearing was continued from the Regular Session of May 5, 1993 at the request of the applicant's attorney, Ronald M. Stein.

FUNDING: None required.


James B. Schroeder
Community Development Director

JBS/cg

Attachments

***TO AVOID DUPLICATION OF LARGE
DOCUMENTS IN THE FORTIS SYSTEM,
ADDITIONAL BACKGROUND INFORMATION
REGARDING THIS ITEM IS LOCATED AS
FOLLOWS:***

Clerk / Public Hearings
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Bridgetown I - Chris Keszler
map, petition, misc. items